

The Appeals Board finds the issues raised by the respondent do not constitute appealable issues under either K.S.A. 44-534a as amended by S.B. 649 (1996) or K.S.A. 44-551 as amended by S.B. 649 (1996). The Administrative Law Judge's decision to grant or deny extensions of terminal dates falls within the powers granted to an administrative law judge in maintaining his docket. This ruling by the Administrative Law Judge is an interlocutory order assisting the Administrative Law Judge in the maintenance of his docket. It is neither an order dealing with an appealable issue listed in K.S.A. 44-534a, as amended by S.B. 649 (1996) nor a transcendence of the Administrative Law Judge's jurisdiction under K.S.A. 44-551, as amended by S.B. 649 (1996) nor is it a final award upon which review can be granted by the Appeals Board.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the ruling by Administrative Law Judge Floyd V. Palmer on March 15, 1996, denying respondent's Motion for Extension of Terminal Date is not properly before the Appeals Board and the respondent's Application for Review should be, and is hereby, dismissed.

IT IS SO ORDERED.

Dated this ____ day of June 1996.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: Frederick J. Patton II, Topeka, KS
Matthew S. Crowley, Topeka, KS
Floyd V. Palmer, Administrative Law Judge
Philip S. Harness, Director